

**REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF IRVINGTON,
NEW YORK HELD ON MONDAY JULY 21, 2003 AT 7:00 P.M. VILLAGE HALL, 85 MAIN STREET,
IRVINGTON, NEW YORK.**

Present: Dennis P. Flood, Mayor
Richard J. Livingston, Trustee
Isabel B. Milano, Trustee
Stephen A. McCabe, Village Administrator
Donald P. Marra, Deputy Administrator
Michael Cerone, Police Lieutenant
Lino Sciarretta, Village Attorney's Office
Lawrence S. Schopfer, Clerk-Treasurer
Gregory R. Nilsson, Superintendent of Public Works

Mayor Flood called the meeting to order. Trustee Livingston made a motion for the Board to adjourn to executive session to take up legal and personnel matters. The motion was seconded by Trustee Milano and unanimously approved.

Upon reconvening after executive session, the regular meeting was called to order by Mayor Flood who led the attendance in the pledge of allegiance to the flag of the United States of America.

Mayor Flood opened the floor to public comment on matters not contained on the agenda of the regular meeting. There were no comments from those in attendance.

Mayor Flood read correspondence from Peter Gisolfi regarding the dedication of High School Road; Susan Pouch thanking the Department of Public Works for their help with storm drains; Walter Buckley thanking the Police Department; Alan Nieditch regarding the police shooting range; and Andrew Fiore regarding a road dedication.

Mayor Flood announced that public hearings would be held on August 18, 2003 regarding: (1) Frontage; (2) Below market rate housing; (3) Sunset provisions for permits / approvals; (4) Development fees; (5) Main Street development; and (6) the creation of a fee schedule.

Mayor Flood provided background on the intermunicipal agreement between the Village of Irvington and County of Westchester regarding the acquisition of a portion of the Westwood property. After some discussion regarding the environmental assessment, Trustee Livingston made a motion to adopt the following resolution:

WHEREAS, the Village Board of Trustees for the Village of Irvington (the "Board") desires to enter into an inter-municipal agreement with the County of Westchester (the "County") whereby the County will purchase approximately 13 acres of real property located in the Village of Irvington (the "Property") for the purpose, among other things, of using the Property as passive parkland and accepting an easement for access (the "Project"); and

WHEREAS, the Property to be purchased by the County will be chosen by the County prior to closing from the property shown on the tax maps of the Village of Irvington as Section 5, Sheet 11, Lot P25, and Section 5, Sheet 10C, Lots 25A and 26A; and

WHEREAS, this Board has determined that the proposed Project would constitute an action under Article 8 of the Environmental Conservation Law, requiring this Board

to make findings of environmental significance or non-significance according to the criteria set forth in the regulations of the Department of Environmental Conservation ("DEC"); and

WHEREAS, the County has assumed the role of Lead Agency; and

WHEREAS, in accordance with the New York State Environmental Quality Review Act, an Environmental Assessment Form has been prepared to assist this Board in its environmental assessment of this proposed action; and

WHEREAS, this Board has carefully considered this proposed action and has reviewed the attached Environmental Assessment Form and the criteria set forth in Section 617.7 of the regulations of the DEC and has identified the relevant areas of environmental concern, as are fully set forth in the attached Negative Declaration to determine if this proposed action will have a significant impact on the environment.

NOW, THEREFORE, BE IT

RESOLVED, that based upon the Board's review of the Environmental Assessment Form, this Board finds that there will be no significant impact on the environment from the purchase by the County of the Property, from the County and the Village entering into an inter-municipal agreement for the purpose, among other things, of using the Property as passive parkland, and accepting as easement for access, and that the findings of the Board are fully set forth in the attached Negative Declaration which is made a part hereof; and be it further

RESOLVED, that the Village Clerk is authorized and directed to sign the Determination of Significance in the attached Environmental Assessment Form; to execute and issue the attached Negative Declaration on behalf of this Board pursuant to Article 8 of the Environmental Conservation Law; and to immediately transmit same to be filed, published and made available pursuant to the requirements of Part 617 of the New York Code of Rules and Regulation; and be it further

RESOLVED, that this resolution shall take effect immediately.

Trustee Milano seconded the motion and it was unanimously approved.

Trustee Livingston made a motion to adopt the following resolution approving an intermunicipal agreement between the Village of Irvington and the County of Westchester:

WHEREAS the Village Board of Trustees (the "Village") desires to enter into an intermunicipal agreement with the County of Westchester (the "County") whereby the County will purchase approximately thirteen (13) acres of real property located in the Village of Irvington, New York for the purpose, among other things, of using the Property as passive parkland and accepting as easement for access; and

WHEREAS, the County, as lead agency, has determined that this is an Unlisted action under SEQRA which will have no significant impact on the environment; and

WHEREAS, the Village hereby endorses the findings of the County and has prepared its own findings and negative declaration pursuant to SEQRA; and

NOW, THEREFORE, BE IT RESOLVED that the Village is hereby authorized to enter into an intermunicipal agreement ("IMA") with the County, subject to the approval by the Village Attorney; and

BE IT FURTHER RESOLVED that the Mayor and Village Administrator Stephen McCabe are hereby authorized and empowered to execute all instruments and to take all action necessary and appropriate to effectuate the purposes hereof.

Trustee Milano seconded the motion and it was unanimously approved.

Trustee Milano made a motion to approve a contract for funding with the State of New York to provide the Village with \$20,000 for the purchase of communications equipment in the Fire Department and to authorize Village Administrator Stephen McCabe to execute the contract. Trustee Livingston seconded the motion and it was unanimously approved.

Trustee Milano made a motion to approve an assistance contract between the New York State Department of Environmental Conservation and the Village of Irvington for the construction of a non-motorized kayak/canoe launch up to a maximum reimbursement of \$7,500 and to authorize Village Administrator Stephen McCabe to execute the contract. Trustee Livingston seconded the motion and it was unanimously approved.

Trustee Milano made a motion to approve a contract between the Village and Edward M. Weinstein Architecture for consulting services in connection with a feasibility study regarding a motorized boat launch. Trustee Livingston seconded the motion and it was unanimously approved.

Mayor Flood outlined the elements of the proposed 2003-09 Capital Improvement Plan. Mayor Flood proposed a amend to the Plan to re-schedule the installation of air conditioning in the Town Hall Theater to the current year 2003-04. After some discussion, the 2003-09 Capital Improvement Plan, Trustee Milano made a motion to adopt the Plan as presented and amended. Trustee Livingston seconded the motion and it was unanimously approved.

Trustee Livingston made a motion to adopt the following bond resolutions:

1. Acquisition of a police car for the village police department authorizing the issuance of \$51,000 tax-exempt serial bonds of the Village.
2. Engagement of a consultant to prepare a design plan for the placement of replacement seating in the Irvington town hall theatre in the village, at a maximum estimated cost of \$10,500 and authorizing the issuance of \$10,500 tax-exempt serial bonds of the Village.
3. Acquisition of equipment to upgrade the communications system of the village fire department, at a maximum estimated cost of \$62,000 authorizing the issuance of \$4,500 tax-exempt serial bonds of the Village.
4. Acquisition of a tire balancer and engine analyzer for the village department of public works; the acquisition of a utility body for the mechanic's truck for the village department of public works; the acquisition of video cameras for the patrol cars of the village police department; the acquisition of shoring equipment for the village department of public works; the acquisition of fire exit stairs for the village fire department; the acquisition of park equipment for the village department of parks and recreation authorizing the issuance of \$74,000 tax-exempt serial bonds of the Village.
5. Authorizing the reconstruction of the tennis courts in the village at a maximum estimated cost of \$85,500 and authorizing the issuance of \$85,500 tax-exempt serial bonds of the Village.

6. Authorizing the engagement of a consultant to prepare a master plan for the park and recreation facilities of the village, at a maximum estimated cost of \$50,500 authorizing the issuance of \$50,500 tax-exempt serial bonds of the Village.
7. Acquisition of pick-up truck for the water and sewer department of the village; authorizing maintenance work on pumps and tanks of the village water and sewer department; and authorizing the digitization of the map of the village water and sewer system and authorizing the issuance of \$82,000 tax-exempt serial bonds of the Village.
8. Authorizing the revision and recodification of the zoning code of the village, at a maximum estimated cost of \$100,500 authorizing the issuance of \$100,500 tax-exempt serial bonds of the Village.
9. Repairs to sidewalks in the village; authorizing the construction of a concrete sidewalk at the village fire department; authorizing repairs to curbs in the village; and authorizing repairs to the catch basin in the village and authorizing the issuance of \$117,000 tax-exempt serial bonds of the Village.
10. Acquisition of a 6-cubic yard dump truck for the village department of public works; the acquisition of a 10-cubic yard dump truck for the village department of public works; and the acquisition of a front end loader for the village department of public works authorizing the issuance of \$283,000 tax-exempt serial bonds of the Village.
11. Renovation of the interior of village hall and authorizing the issuance of \$670,500 tax-exempt serial bonds of the Village.
12. Amended bond resolution dated July 21, 2003 of the board of trustees of the Village of Irvington (the "Village") authorizing not to exceed \$60,500 aggregate principal amount of serial general obligation bonds to finance the design and construction of a basketball court at Scenic Hudson Park at an estimated maximum cost of \$250,000, the levy of tax in annual installments in payment thereof, the expenditure of such sums for such purpose, and determining other matters in connection therewith.
13. Amended bond resolution dated July 21, 2003 of the board of trustees of the Village of Irvington (the "Village") authorizing not to exceed \$1,220,000 aggregate principal amount of serial general obligation bonds to finance additional construction related to recreational facilities, athletic fields and bulkhead repair and maintenance at the waterfront park, including costs incidental thereto and financing thereof at an estimated maximum cost of \$1,220,000, the levy of tax in annual installments in payment thereof, the expenditure of such sums for such purpose, and determining other matters in connection therewith.

Trustee Milano seconded the motion and it was unanimously approved. The full text of each bond resolution is on file in the office of the Clerk-Treasurer

Mayor Flood opened a public hearing on a proposed local law amending Chapter 59 (Records) of the Village Code. Clerk-Treasurer Lawrence Schopfer provided some background on the proposed records management provisions. After some discussion, Trustee Livingston made a motion to close the public hearing. Trustee Milano seconded the motion and it was unanimously approved.

Trustee Livingston made a motion to adopt the local law amending Chapter 59 of the Village Code as presented. Trustee Milano seconded the motion and it was unanimously approved.

Trustee Milano reported on the activities in the Parks & Recreation Department including the sprinkler park, the Fall/Winter brochure, the Senior Citizens summer picnic, and progress of the basketball court construction.

Trustee Livingston announced the upcoming GUARD meeting to be held on July 29th. He also reported on the recent Architectural Review Board meeting and the activities in the Water Department.

Superintendent of Public Works Gregory Nilsson reported on the activities in the Department of Public Works including ongoing grass cutting and valve repair work.

Mr. Nilsson also requested the award of contracts to the lowest responsible bidders as follows:

1. Miscellaneous Hardware – Irvington Hardware (discount 10%)
2. Auto Parts – Post Automotive (price list enclosed with bid)
3. Tree Removal, pruning, and stump grinding – The Care of Trees: \$748 per day for tree removal and pruning; \$500 per day for stump grinding.

Trustee Milano made a motion to award contracts to the low bidders as presented. Trustee Livingston seconded the motion and it was unanimously approved.

Resident Brenda Livingston discussed the possibility of requiring the posting of placards on the property of residents who are seeking approvals from the Planning Board or other Village board. She also discussed the possibility of requiring that private properties be maintained in an orderly fashion.

Clerk-Treasurer Lawrence Schopfer requested the issuance of a vendors permit for Ali Mojazza to allow him to sell ice cream and other related items throughout the Village. Trustee Milano made a motion to approve the issuance of a vendors permit as requested. Trustee Livingston seconded the motion and it was unanimously approved.

Clerk-Treasurer Lawrence Schopfer requested the approval of a filming permit to be issued to Atlas Media Corporation for filming on July 23rd at 3 Hillside Terrace. Trustee Milano made a motion to approve the issuance of a filming permit as requested subject to the payment of a fee of \$1,000 and the presentation of proper insurance documents to the Clerk-Treasurer. Trustee Livingston seconded the motion and it was unanimously approved.

Deputy Administrator Donald Marra reported on the draft of a letter to be sent to Albany regarding the State's release of discretionary funds for municipal aid.

Trustee Livingston made a motion for the Board to adjourn to executive session to take up legal and personnel matters. The motion was seconded by Trustee Milano and unanimously approved.

Upon reconvening after executive session, a motion was made by Trustee Milano to approve certain summer hirings in the Department of Public Works. A complete list of hirings along with salary rates is attached. Trustee Livingston seconded the motion and it was unanimously approved.

There being no further business the meeting was adjourned.

Lawrence S. Schopfer, Clerk-Treasurer

Attachments